

not take action. This is a vitally important program to the State of Oregon, and to America's children. We must take action to protect this funding.

The State Children's Health Insurance Program, created in 1997, has always had bi-partisan support. Shortly after being elected to the United States Senate in 1996, I strongly supported the creation of this program. I knew that Congress had an opportunity to reach out to millions of low-income children and provide health care coverage. Working with my colleagues and friends, including Senators ORRIN HATCH and EDWARD KENNEDY, in the development of the bipartisan proposal was a pleasure.

Since 1997, we have all continued to work together, members from both sides of the aisle, to extend funding and make improvements to the program. This year should be no different. I know it is an election year, a presidential election year in fact, and that often creates a dynamic where politics can overwhelm policy. However, I am hopeful that we can once again triumph over partisanship and pass legislation that will intervene and prevent the expiration of \$1.1 billion in unspent S-CHIP funding. I am confident that if both sides are reasonable and willing to work together we can accomplish this goal by the time Congress recesses on October 8.

As we prepare to take action on a bill, we need to consider that no one member or group of members have all of the answers; that nobody has a monopoly on protecting America's children. We all work every day to protect our Nation's children and ensure that those who come from low-income families receive the nutritional, housing, education and health care assistance that they need. This time should be no different.

I look forward to working with Senators HATCH and KENNEDY, the creators of this remarkable program; President Bush, a strong advocate for our nation's children; Leader FRIST, Chairman GRASSLEY and others to extend funding for this important program.

Mr. FRIST. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 5149) was read the third time and passed.

TO PROVIDE AN EXTENSION OF HIGHWAY, HIGHWAY SAFETY, MOTOR CARRIER SAFETY, TRANSIT, AND OTHER PROGRAMS FUNDED OUT OF THE HIGHWAY TRUST FUND PENDING ENACTMENT OF A LAW REAUTHORIZING THE TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY

Mr. FRIST. I ask unanimous consent that the Senate now proceed to consideration of H.R. 5183, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 5183) to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

There being no objection, the Senate proceeded with the consideration of the bill.

#### TRANSPORTATION REAUTHORIZATION BILL

Mr. HATCH. Mr. President, today is a disappointing day in the history of Congress. Exactly one year ago, Congress missed the deadline for passing a full transportation reauthorization bill that would fund the Federal portion of highway, transit, and safety projects around the country for the next six years. The fact that we missed this self-imposed, legislative deadline will come as no surprise to those who follow progress on Capitol Hill, but it is deeply troubling.

Because of the unwillingness of several of my colleagues, Congress is once again forced to use a temporary extension of last year's funding as an inadequate short-term fix to a very real problem. This is an unacceptable outcome and I hope my colleagues will agree we need to pass a fully-funded 6-year bill immediately.

Just as national defense and judicial review are core functions performed by the United States Government to ensure security and fairness for all citizens, transportation infrastructure funding is one of the primary responsibilities of the Federal Government. Adequate transportation infrastructure that is safe and affordable helps facilitate intrastate and interstate trade and provides the physical backbone of our economy. This is certainly a burden that the Federal Government needs to bear on behalf of its citizens. While it was extremely disappointing that Congress allowed the September 30, 2003 deadline to pass without a resolution to this problem, it is simply inexcusable for us to have not successfully addressed this critical need for over a year. I ask my colleagues to commit to coming together before this year's end to pass a six-year reauthorization bill.

I am not naive, I understand that there are always reasons behind the in-

ability for Congress to pass important legislation. And this case is no exception. Over the last year, I have heard the excuses from the legislative and executive branches of government, both Republicans and Democrats. Some argue the transportation funding proposals being debated cost too much; others say they don't provide enough funding to States; still others say the formulas being used to distribute the money are inherently flawed and do not return as much of the Highway Trust Fund proceeds as their State contributes. All of these excuses have merit and need to be worked out to the satisfaction of lawmakers prior to enactment, but it is rational for a person to believe, as I do, that given the high priority transportation funding plays in each and every State, Congress should have reached a compromise by now two years after work on this reauthorization initially began.

As I travel throughout Utah, meeting with the good citizens of my home State, the most frequently-requested issue I am asked to address is the issue of transportation. Every week, Utahns remind me of the constant need we have to maintain our roadways, increase our transit capacity, and provide alternative routes along main arteries in the cities. I certainly understand why this issue is so important to my constituents. Over the last ten years, Utah has seen a dramatic increase in the number of residents who call "The Beehive State" home. In fact, there are only three states in the United States who have had larger proportional increases in their populations over the past ten years and all of them border the State of Utah. There is tremendous population growth all over the West, underscoring the critical need we have for a steady increase in transportation funding right now.

The State of Utah receives over \$200 million per year in highway funding which goes toward the planning and execution of highway expansion projects. Under the Senate-proposed version of this bill, that number would go to nearly \$300 million per year. That increase goes a long way, not all the way, but a long way toward making several important transportation projects a reality. Projects that otherwise might not come to fruition without a federal commitment.

In stating the amount of funding Utah receives, I do not want to give the impression that this Federal funding comes to States without them having to do their part. All of the Federal funds in this bill have a State matching component as well. States spend millions, even billions, of State dollars on transportation every year. Demand for more and better transportation alternatives in the State of Utah have become so severe that State lawmakers are now seriously considering raising the State fuel tax in order to pay for their portion of these projects. Although I hate to see any tax increases, I applaud the efforts of local lawmakers to deal with our transportation

problems with real solutions and adequate funding.

The Utah Department of Transportation—UDOT—has several aggressive highway projects around the State which have been planned for years, budgeted in the State's annual budgeting process, and now only require a federal commitment to help them proceed. I refer to projects like the ongoing reconstruction of I-15 which connects some of the most populous portions of the State from North to South. New I-15 interchanges in Ogden, Layton, and Provo are desperately needed to catch up with the large growth these cities are experiencing. Also, highway projects in Emery County on US-6, a railroad replacement bridge on US-89 in Pleasant Grove, widening of State road 92 in Lehi, and the building of the Northern Corridor in St. George are all projects which suffer terrible setbacks each time Congress cannot come together and pass a transportation reauthorization bill. And there are many, many more projects throughout the State I don't have time to name here, but that are equally as important.

On the transit side, with the recent addition of light rail and rapid bus service to several sections of downtown Salt Lake City, the citizens of Utah have grown to rely heavily on transit as a primary means of transportation. The Utah Transit Authority—UTA—has aggressive plans for projects in the pipeline that will greatly benefit the entire population of Utah. The recent announcement of the Utah Regional Commuter Rail project, which would bring rapid commuter rail service from as far away as Ogden all the way down to Provo, is encouraging and has many residents excited for the future of transit service around the state. As well, the expansions of the light rail lines from downtown Salt Lake to the airport and South Jordan are highly supported by commuters.

UTA receives \$70 million to \$80 million per year from Federal transit funding projects which not only provide financing for large portions of the light rail and commuter rail projects, but also provide statewide bus service and improvements to a majority of the State's population. Intermodal hubs, intelligent transportation systems, and other advances have forever improved the ease and convenience of commuting in the State of Utah and these programs depend heavily on the transportation reauthorization bill stalled in Congress. Extensions of current law, which have been going on for over a year now, get us nowhere closer to funding these important projects. The size and scope of these projects are so large that they require a long term commitment from the Federal Transit Administration—FTA—in order to get started. However, in the absence of congressional approval of a full six-year bill, the FTA is unable to make the long-term commitments required for local transit authorities to go out

and secure their funding. This leaves transit projects in an eternal holding pattern, waiting for someone to commit to their future. This is unacceptable and a terrible way to address the ever growing commuting needs of citizens.

One aspect of this bill that is extremely important to citizens around the State of Utah is the fact that much of the funding for transportation safety and bike path projects comes from Federal sources. The State of Utah combines several million dollars a year with the Federal money provided by this bill to build safer crosswalks, walking bridges, bike paths, and railroad crossings throughout the State. These projects save lives and make enjoying the outdoors a safer activity. Without a Federal commitment to safety and outdoor recreation, these projects would certainly be lost in the difficult budgetary times States are facing.

This past February, when the Senate Finance Committee was considering the "pay for" sections of this bill, we faced a daunting task. How do you provide a substantial increase in transportation funding in the face of shrinking fuel tax revenues, without raising taxes or increasing the deficit? This is a difficult question and one the members of the Finance Committee had to deal with in very short order. However, to Senator GRASSLEY's credit, we found a way to provide the substantial increase. It was not easy. There were a lot of tough decisions we had to make. Many ingenious methods were used to increase revenues coming into the Highway Trust Fund, like cracking down on fraud and covering the cost of fuel tax credits currently in the tax code. But when all was said and done, we did it. We provided a 20 percent increase to transportation funding and we didn't raise fuel taxes or create a large deficit that future generations will have to pay off. Was it a sustainable fix that we will be able to deploy every six-years to keep the highway trust fund afloat? No, only a fuel tax increase or a large upswing in the demand for fuel will do that. But, was it a good six-year fix for a difficult problem that was already months overdue? Yes, I believe it was a good short-term fix. In short, the bill was paid for.

As I stated before, the work to reauthorize Federal transportation funding began some two-years ago when aides met to discuss the general structure of a bill. I cannot believe that the State of Utah is the only State which depends heavily on Federal transportation funding to keep up with the demands of maintaining an adequate infrastructure.

Therefore, it simply puzzles me as to why we have not been able to negotiate an acceptable bill in a two-year period. As a conferee appointed to negotiate a final bill, I can tell you first hand, that some Congressional leaders have tried very hard to come to agreement on the specifics of a bill. The efforts of Chair-

man INHOFE have been extraordinary. He has worked tirelessly to find compromise with leaders who appear unyielding in their particular criticisms of the bill. He has shown his willingness to compromise on his own bill and work with others. I know he does not want to pass a bill with lower funding amounts than the Senate bill, but despite that belief, I applaud him for his willingness to compromise and work toward a productive solution.

As Chairman INHOFE, I have indicated my willingness to compromise on many points in order to get a bill moving. I have made calls to colleagues, I have asked those who have indicated their unwillingness to move to please join the effort and move a bill forward. I have done my part for the citizens of Utah and will continue to do all I can.

More contentious bills than this get negotiated and passed by both houses every year. I know money is tight right now. I know we would all like to see the funding formulas be more favorable for our home States. I know each of us would like to have more funding for our home States than we currently do. But I call on each of my colleagues on both sides of the aisle to please put down your arguments and get back to the negotiating table and finish the transportation reauthorization bill before year's end. Time is short and I realize we must pass a temporary extension bill in order to keep some Federal highway funds flowing. However, I encourage my colleagues to take advantage of the remaining days left in the 108th Congress and come together to pass one of the most important bills before Congress this year. Successful passage of the transportation reauthorization bill will have positive, long-lasting effects on each and every State and I implore my colleagues not to let this opportunity pass.

Frankly, I am disappointed that we have failed to produce a six-year transportation reauthorization bill which fully funds the highway, transit, and safety programs for our States. As I mentioned earlier, the temporary extensions we have been using do not adequately address the transportation needs of our citizens. Temporary extensions frustrate the planning of these large projects, significantly delay the delivery, and make it impossible for States to raise the money necessary to fund their portions of the projects. Capital markets turn a deaf ear to project specific financing when there is no long-term Federal commitment. Only we can rectify this problem and I know we will find the solution. Let's do it sooner rather than later. Let's not wait for this problem to get even more out of hand. Let's do the right thing and come together with an adequately funded compromise. I pledge my efforts in this cause and hope my colleagues will do the same.

Mr. SARBANES. Mr. President, the Transportation Equity Act for the 21st Century, which authorized the Federal highway, transit, and safety programs,

expired 1 year ago today. Although both the Senate and the House have passed comprehensive, multiyear legislation to reauthorize those programs, a conference agreement still has not been worked out. As a result, today the Senate is passing an 8-month extension, the sixth short-term extension since TEA-21 expired. The inherent uncertainty of short-term extensions has made it difficult for State and local governments and transit agencies to make decisions regarding construction, maintenance, and operations.

I want to speak for a moment about the transit program, which falls under the jurisdiction of the Senate Banking Committee. In the Banking Committee's reauthorization hearings, we heard extensive testimony on the critical role of transit in reducing congestion, strengthening our national economy, and improving our quality of life. Transit ridership is at record levels, a testament to Americans' growing need for safe, reliable transportation choices. The same can be said for the other modes as well: demand is increasing along our entire transportation network.

Increased investment is essential if we are to keep up with this demand. The U.S. Department of Transportation has estimated that an average of \$127 billion per year is needed over the next two decades to maintain and improve the condition of our highways, bridges, and transit systems. Other estimates show an even greater need. I believe that failure to make the needed investment will result in the continued deterioration of our existing infrastructure, threatening our future mobility and economic strength. Such investment would also have a positive impact in the near term: according to the U.S. Chamber of Commerce, each \$1 billion invested in transportation infrastructure creates 47,500 jobs.

In an effort to begin addressing these needs, the Banking Committee passed a reauthorization of the Federal transit program in February of this year. That bill authorized \$56.5 billion over 6 years for transit, a substantial increase over TEA-21. As a result of Banking Committee Chairman SHELBY's leadership in developing that piece of legislation, the Federal Public Transportation Act of 2004 was reported out of the Banking Committee unanimously. The Banking Committee bill was incorporated into S. 1072, the Safe, Accountable, Flexible, and Efficient Transportation Equity Act, a 6-year multimodal reauthorization bill, which passed through the Senate with overwhelming bipartisan support.

Notwithstanding the passage in both the Senate and the House of reauthorization bills calling for substantially increased investment, the administration has not been willing to support the kind of investment needed to meet our pressing transit and highway needs. Without a serious commitment from the administration to make such investments, it has been impossible to

move forward in the conference process.

Until that process is completed, it is essential that our States and local communities be able to continue to operate and maintain our Nation's roads, bridges, and transit systems. The legislation considered by the Senate today would allow Federal assistance to continue through May 31, 2005, and provides that once a multiyear reauthorization bill is completed, the budgetary firewalls protecting highway and transit spending will be extended around the total amounts authorized for fiscal year 2005 in that multiyear bill. I hope that in the next 8 months the Administration will work cooperatively with the Congress to produce a comprehensive reauthorization bill that will provide the needed resources to address the Nation's urgent transportation needs.

Mr. FRIST. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

Mr. REID. Mr. President, this could not have been done without Senator BYRD and Senator STEVENS. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 5183) was read the third time and passed.

#### MEASURES READ THE FIRST TIME—H.R. 4596 AND H.R. 4606

Mr. INHOFE. Mr. President, I understand there are two bills at the desk, and I ask for their first reading, en bloc.

The PRESIDING OFFICER. The clerk will report the bills by title.

The legislative clerk read as follows:

A bill (H.R. 4596) to amend Public Law 97-435 to extend the authorization for the Secretary of the Interior to release certain conditions contained in a patent concerning certain land conveyed by the United States to the Eastern Washington University until December 31, 2009.

A bill (H.R. 4606) to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, and for other purposes.

Mr. INHOFE. Mr. President, I ask for its second reading and, in order to place the bills on the calendar under the provisions of rule XIV, I object to my own request, en bloc.

The PRESIDING OFFICER. The bills will have their second reading on the next legislative day.

#### MEASURE PLACED ON THE CALENDAR—S. 2866

Mr. INHOFE. Mr. President, I understand that there is a bill at the desk and due for its second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 2866) to amend the Farm Security and Rural Investment Act of 2002 to clarify the authority of the Secretary of Agriculture and the Commodity Credit Corporation to enter into memorandums of understanding with a State regarding the collection of approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans.

Mr. INHOFE. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. The objection having been heard, the bill will be placed on the calendar.

#### AMENDMENT TO SAFE DRINKING WATER ACT

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 502, H.R. 2771.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2771) to amend the Safe Drinking Water Act to reauthorize the New York City Watershed Protection Program.

There being no objection, the Senate proceeded to consider the bill.

Mr. INHOFE. I ask unanimous consent that the bill be read the third time and passed; that the motion to reconsider be laid upon the table; and that any statements relating thereto be printed in the RECORD, without further intervening or action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2771) was read the third time and passed.

#### LIMITATIONS AND EXTENSION FOR CERTAIN COASTAL WETLAND CONSERVATION PROJECTS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 670, S. 2495.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2495) to strike limitations on funding and extend the period of authorization for certain coastal wetland conservation projects.

There being no objection, the Senate proceeded to consider the bill.

Mr. INHOFE. I ask unanimous consent that the bill be read a third time and passed; the motion to reconsider be laid upon the table; and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2495) was read the third time and passed, as follows:

S. 2495

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. COASTAL WETLAND CONSERVATION PROJECT FUNDING.

(a) FUNDING.—Section 306 of the Coastal Wetlands Planning, Protection, and Restoration Act (16 U.S.C. 3955) is amended—